MEMO ENDORSED

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

v.

JUAN PABLO THIERIOT, : Case No.: 1:23-cv-01875-JGLC

Plaintiff,

BILL LAGGNER,

Defendant.

-----X

WHEREAS, plaintiff Juan Pablo Thieriot ("Plaintiff") commenced this action against defendant Bill Laggner ("Defendant") by filing of the complaint asserting causes of action for breach of contract and conversion with the Supreme Court of the State of New York, New York County on February 3, 2023 (the "Complaint"); and

WHEREAS, on or about March 3, 2023, Defendant removed the state court action to this Court;

WHEREAS, on May 16, 2023, Plaintiff filed an Amended Complaint;

WHEREAS, on August 11, 2023, Defendant filed a pre-answer motion for dismissal under Rule 12(b)(6) seeking an order dismissing the cause of action for conversion (the "Motion to Dismiss"); and

WHEREAS, counsel for Plaintiff and Defendants have met and conferred concerning the Motion to Dismiss; therefore

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned attorneys of record for Plaintiff and Defendant that:

- Plaintiff hereby withdraws without prejudice the cause of action for conversion stated in his Amended Complaint;
- 2. The Motion to Dismiss is withdrawn as moot; and
- 3. Defendant's time to answer, move against, and/or otherwise respond to the Amended Complaint is extended through and including September 13, 2023.

IT IS FURTHER STIPULATED AND AGREED that electronic and/or facsimile signatures and copies shall be sufficient for all purposes.

MEISTER SEELIG & FEIN PLLC

FREEDMAN NORMAND FRIEDLAND LLP

By: /s/ Benjamin D. Bianco

Benjamin D. Bianco Caitlin R. Trow

125 Park Avenue, 7th Floor New York, New York 10017

Tel: (212) 655-3500 Fmail: hdb@msf-law.co

Email: bdb@msf-law.com crt@msf-law.com

Attorneys for Plaintiff

Dated: August 23, 2023

By: /s/ Devin (Velvel) Freedman
Devin (Velvel) Freedman

99 Park Avenue, 19th Floor New York, NY 10016

Tel: (305) 753-3675 Email: vel@fnf.law

Attorneys for Defendant

Dated: August 23, 2023

Defendant's time to answer, move or otherwise respond to the Amended Complaint is EXTENDED to September 13, 2023. The Clerk of Court is directed to terminate ECF No. 47.

SO ORDERED.

JESSICA G. L. CLARKE United States District Judge

Jessica Clarke

Dated: August 24, 2023 New York, New York